

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TODD VINCENT,)	
)	
Petitioner,)	
)	
v.)	C.A. No. 05-40036-RGS
)	
DAVID L. WINN,)	
)	
Respondent.)	

PROCEDURAL ORDER

On February 10, 2005, Petitioner, Todd Vincent, currently confined at FMC Devens in Ayer, Massachusetts, filed a pleading captioned as a "Petition for Release." In his pleading, Vincent requests release into a community correction center pursuant to 18 U.S.C. § 3624(c). Vincent named the "Bureau of Prisons" as the "Defendant."

The Court shall construe Vincent's pleading as a request for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. See United States v. Barrett, 178 F.3d 34, 50 n.10 (1st Cir. 1999) (petitions pursuant to § 2241 generally attack the execution of a sentence). The Clerk of this Court shall correct the caption of this action to reflect that David L. Winn, the warden of FMC Devens, is the sole respondent to this action. See Rumsfeld v. Padilla, --U.S.--, 124 S. Ct. 2711, 2720 (2004); Vasquez v. Reno, 233 F.3d 688, 694 (1st Cir. 2000), cert. denied sub nom. Vasquez v. Ashcroft, 122 S. Ct. 43 (2001).

SO ORDERED.

June 17, 2005
DATE

/s/ Richard G. Stearns
UNITED STATES DISTRICT JUDGE